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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

ANGELES CHEMICAL COMPANY,  
INC., a California corporation, et al.,

Northern District Miscellaneous Matter  
Case No. C 06-80343 Misc MMC (EDL)  
Case No. C 07-80123 Misc MMC (EDL)

Plaintiff,

Case No. 01-10532 TJH (Ex)  
Central District of California

MCKESSON CORPORATION, a  
California corporation, et al.,

**SQUIRE, SANDERS & DEMPSEY L.L.P.'S  
OBJECTIONS TO AND/OR REQUEST  
FOR CLARIFICATION REGARDING  
ORDER DATED MAY 31, 2007 ON  
MOTION TO COMPEL SQUIRE,  
SANDERS & DEMPSEY L.L.P.'S  
COMPLIANCE WITH THE MARCH 22,  
2007 COURT ORDER**

**Defendant**

1 Pursuant to Civil Local Rule 72-2 and Federal Rule of Civil Procedure 72(a) and 28  
 2 U.S.C. § 636(b)(1)(a), Non-party, Rule 45 Subpoena Recipient Squire, Sanders & Dempsey,  
 3 L.L.P. (“SSD”) hereby objects to and/or requests clarification regarding the Court’s Order Dated  
 4 May 31, 2007 (“the May 31 Order”) as follows:

5 SSD does not object to submitting documents for *in camera* review as per the May 31  
 6 Order. SSD understands that the May 31 Order is an interim order, which may be superseded  
 7 following the Court’s review of documents. Nonetheless, because Plaintiffs have asserted that the  
 8 May 31 Order is “against” SSD (see Exhibit A), in order to preserve its objections, and in order to  
 9 assist the Court in framing any subsequent order, SSD submits the following objections and/or  
 10 requests for clarification:

- 11 1. SSD objects to the requirement of production of documents and/or an  
 12 additional index within just 5 days of a subsequent order. Although SSD  
 13 can not be certain until a final order is issued, 5 days may be insufficient  
 14 for compliance with a subsequent order.
- 15 2. SSD objects to the requirement that it produce the documents “to the  
 16 parties.” Due to the privilege issues involved, the Court originally ordered  
 17 that SSD produce its documents to McKesson, which then had a certain  
 18 period of time to review them. *See* Court’s March 22, 2007 Order, ¶ 7.  
 19 The same process should be followed for any subsequent production.
- 20 3. SSD objects to any requirement to prepare additional indexes of  
 21 documents index documents on the ground that it is unduly burdensome.  
 22 SSD has already incurred more than \$200,000 in attorney and legal  
 23 assistant time associated with discovery from Plaintiffs. Plaintiffs should  
 24 be ordered to share the costs of any further efforts the Court requires SSD  
 25 to undertake.
- 26 4. SSD objects to paragraph 2 of the Order to the extent that it requires  
 27 creation of a new index noting the “source” and the “disposition” of  
 28 documents. As SSD has previously explained, SSD is not currently

1                   certain in all instances of the original source of certain documents.  
 2                   Furthermore, describing the “source” and “disposition” of potentially  
 3                   hundreds of documents goes far beyond the requirements or scope of Rule  
 4                   45. Such a description is more in the nature of an interrogatory response,  
 5                   and would be unduly burdensome to prepare.

- 6                 5. SSD objects to the direction in the Order to submit the documents “at  
                  issue” *in camera*, on the ground that, as noted in SSD’s Opposition papers,  
                  Plaintiffs’ motion to compel was unclear as to which documents are at  
                  issue. Despite this objection, SSD provides those documents it  
                  understands to be in dispute for an *in camera* inspection.
- 7                 6. SSD objects to providing for *in camera* review items listed in Privilege  
                  Log Item 59, (all documents on McKesson’s privilege logs). As SSD  
                  explained in its Opposition to Plaintiffs’ Motion to Compel, filed May 22,  
                  2007 at p. 10, and based on discussions at the March 6th oral argument on  
                  McKesson’s Motion for Protective Order and the Court’s Order as to  
                  McKesson’s Motion for Protective Order (06-80343 Docket No. 49) SSD  
                  understands that it is the Court’s intention that McKesson and Plaintiffs,  
                  parties to the underlying action, should resolve, together or with the  
                  assistance of the Central District Court, any disputes regarding the  
                  privileged nature of such documents, after McKesson has raised the  
                  privilege. Per paragraph 3 of the Court order, any challenge by plaintiffs  
                  to the privileges asserted by McKesson over documents on McKesson’s  
                  SSD privilege log were required to have been made in the Central District.
- 8                 7. SSD objects to the Order to the extent it does not allow time for or a  
                  specific procedure for appropriate redaction of documents if *portions* are  
                  deemed to be privileged or not to be responsive.

27                 ///  
 28                 ///

8. SSD objects to producing law firm indexes (Privilege Log Item 57) that are indexes of boxes or of files (not of documents) for privilege review without any finding that they are responsive to requests for indexes of documents, especially because some of SSD's indexes of files are associated with client matters that are totally unrelated to the 1986 transaction at issue.

Respectfully submitted,

Dated: June 6, 2007

SQUIRE, SANDERS & DEMPSEY L.L.P

By: /s/ Diane L. Gibson

Diane L. Gibson

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